

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: DAVOL INC./C. R. BARD, INC.,
POLYPROPYLENE HERNIA MESH
PRODUCT LIABILITY LITIGATION**

Case No. 2:18-md-2846

**JUDGE EDMUND A. SARGUS, JR
Magistrate Judge Kimberly A. Jolson**

**This document relates to:
Robert Koefoed**

Civil Action No: 2:20-cv-03673

STIPULATION OF DISMISSAL AND NOTICE OF WITHDRAWAL OF COUNSEL

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, and Defendants C. R. Bard, Inc. and Davol Inc. (collectively, “Defendants”), through counsel, that Plaintiff’s claims against Defendants shall be dismissed pursuant to Rule 41 of the Federal Rules of Civil Procedure and the terms herein. Based on a conflict between Plaintiff and his/her counsel and/or Plaintiff’s failure to remain in contact with Plaintiff’s counsel, Plaintiff’s counsel hereby withdraws from representation of Plaintiff in this case and in any related proceedings. Plaintiff’s counsel enters into this Stipulation to obtain a benefit for the Plaintiff by a dismissal pursuant to Case Management Order No. 54 compared to a dismissal pursuant to Fed. R. Civ. P. 41(a) or 41(b). Plaintiff may re-file this case only in this MDL proceeding and only within one year of the date of filing of this Stipulation, subject to any challenges to the timeliness of the initial filing of this case. Upon re-filing in this MDL, the case will be subject to the requirements of Case Management Order No. 53, including any amendments thereto, and all other applicable court orders and requirements. Should Plaintiff fail to re-file in this MDL proceeding within one year of the date of the filing of this Stipulation, at Defendants’ request and without advance notice, the case may be dismissed with prejudice, and judgment may be entered in Defendants’ favor, which shall be

enforceable against Plaintiff in any court as a final adjudication on the merits. Subject to Fed R. Civ. P. 41(d), each party shall bear their own fees and costs in connection with this case.

DATED: 05/29/2025

Respectfully submitted,

LAW OFFICE OF TONY SEATON & ASSOCIATES, PLLC HOLLAND & KNIGHT LLP

By: /s/ Thomas Smith

Thomas Smith

LAW OFFICE OF TONY SEATON & ASSOCIATES, PLLC

118 E Watauga Avenue

Johnson City, TN 37601

Telephone: 423-282-1041

tom@tonyseaton.com

Attorney for Plaintiff

By: /s/ Eric Alexander

Eric L. Alexander, Esq.

HOLLAND & KNIGHT LLP

800 17th St. N.W., Suite 100

Washington, D.C. 20006

Telephone: (202) 469-5639

Facsimile: (202) 955-5564

Eric.Alexander@hklaw.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2025, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of notice of electronic filing.

/s/ Thomas J. Smith